# Warren Panel's Critics

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Washington — Critics of the Warren Commission's report on the assassination of John F. Kennedy say that the FBI's release of 40,000 pages of backup material has failed to persuade them that a conspiracy to kill the President did not exist.

These critics — some of whom have been spending long hours in an FBI office reading the assassination files — maintain that the newly released documents raise more questions than they answer.

"The big question is still, Who did it?" said Robert Katz, president of the Assassination Information Bureau, a Washington-based, nonprofit organization that serves as a clearinghouse for the large network of independent assassination researchers.

"We still don't know where Lee Harvey Oswald was at the time of the shooting. There are no witnesses. We still haven't been given the results of the FBI lab tests. We don't absolve Oswald, but they still haven't proved precisely how many shots were fired. And it's clear that Oswald could not have fired all the shots that were fired that day."

The initial media reaction to the FBI's making public half of its investigative files last week was that this information lent no support to the various conspiracy theories held by millions of Americans. The FBI material, it was widely reported, did not contradict the Warren Commission finding that Oswald acted alone in gunning down Kennedy in Dallas on Nov. 22, 1963. Critics believe the second batch of files, to be released next month, will not help their cause, either.

"These files are the material on which the Warren Report is based, so of course they don't contradict it," said Katz. "The FBI is not going to divulge its own mistakes. What we see here — and we are far from completing our studies — is the FBI trying to mount a case against Oswald. But the case against Oswald is no stronger now than it was before."

So Katz and four others from AIB are combing the FBI material, searching for additional weaknesses in a case they already believe is fatally defective. And as they find what they think are weaknesses, they purchase copies of the pertinent material, paying the FBI 10 cents a page.

Lee Harvey Oswald
*. . . critics still are unsure.*

One part of the case that pro-conspiracy theorists universally believe is weak is the single-bullet concept developed by former Philadelphia District Attorney Arlen Specter. As a Warren Commission staff lawyer, Specter was faced with the task of explaining the fact that Kennedy suffered two gunshot wounds, Texas Gov. John B. Connally at least one, with another shot going wild — all within 5.5 seconds.

Specter's explanation was that one bullet hit both Kennedy and Connally, another went wild and a third struck only Kennedy — a total of three shots. Tests on Oswald's 6.5 mm. Italian rifle showed that three shots could be gotten off from the bolt-action weapon in the required time.

## Theory Doubted

In the FBI files, however, was a report dated Jan. 28, 1964, which indicated that even the FBI had doubts — at least initially — about Specter's theory. This report, written by agent L. J. Gauthier, said:

"One staff member, according to Inspector Kelley, quietly spoke about the 'outside' possibility of shot one going through the President's body with sufficient velocity remaining to penetrate Connally's body, wrist and leg. Inspector Kelley mentioned this to me confidentially. He was of the opinion that this was a personal remark made on the spur of the moment. Shot two under these ridiculous facts would have gone completely 'wild,' according to Kelley."

The Warren Commission adopted Specter's theory, frustrating those who believe in a conspiracy. If the single-bullet theory were abandoned, it would mean that a fourth shot had been fired. Since Oswald's rifle could not have delivered that shot in the required time, a fourth shot would mean there was an additional gunman and, hence, a conspiracy.

"The single bullet theory is contrived and defies plausibility," said Katz. "It was required to make the mathematics come out right."

AIB has copied the Gauthier report and eventually it will be copied and distributed to other Warren Commission critics, like Paul Hoch, a computer sciences expert at the University of California at Berkeley. Hoch was one of the authors of "The Assassinations" and supplied material to the Senate Intelligence Committee which inquired into the Kennedy killing.

## 'The Old Questions'

"Hoover seems to have been completely convinced all the time that it was Oswald," said Hoch, who was given an advance look at some of the files by the FBI. "Hoover never approached it from the paranoid view that I have: Was there anyone else? The old questions are still the good ones."

Hoch said the FBI has not released files from its field offices, files it developed on Warren Commission critics or Hoover's own confidential papers — "the do-not-file files."

"This is 90 percent junk, and it is serving as a distraction," he said. "It has been a public relations coup for the FBI."

Katz said he personally believes "a domestic conspiracy" was responsible for Kennedy's murder, although he recognizes others are just as smitten

# Unconvinced by FBI Papers

by the belief that it was a conspiracy directed by Cuba's Fidel Castro or the Soviet Union.

"One of the major reasons for a conspiracy theory is the ties Oswald had to the intelligence community," Katz said. "He defected to Russia, married a Russian who had an uncle in the NKVD and yet the State Department not only let him back into the country, they paid his way back. That's never been satisfactorily explained."

The State Department has said Oswald was a "stateless" person whom it chose to readmit to the United States, and that Oswald repaid the costs to the government. An unspoken reason for letting him return was the obvious desire to question him.

"We suspect the FBI, the CIA, the Army and the State Department have information about Oswald's intelligence connections that has not been revealed," said Katz. "We believe there has been a coverup involving the FBI and the Warren Commission."

Three days after Kennedy's assassination, the FBI was aware that its actions would be questioned. A Hoover aide, Courtney Evans, noted in a Nov. 25, 1963, memo the difficulty of proving that Oswald was not part of a conspiracy, that there were no other gunmen.

"We are being called upon, in many instances, to prove the negative," Evans wrote. Then, quoting Deputy Attorney General Nicholas Katzenbach, he said, "It is more difficult to prove that something did not happen than it is to prove that it did happen."

J. Lee Rankin, chief counsel to the Warren Commission, also was aware of conspiracy allegations involving not only Oswald, but also Dallas Policeman J. D. Tippit, slain by Oswald, and Jack Ruby, Oswald's murderer. In a May 12, 1964, memo to Hoover, Rankin asked that the FBI conduct a "limited background" investigation of Tippit to determine whether he had any connection with Oswald or Ruby.

"As I am sure you are aware," Rankin said to Hoover, "this request is designed to obtain certain basic information which can be relied upon to refute unfounded allegations which have developed in the course of this investigation."

No connection between Tippit and Oswald or Ruby was found.

To those doing the investigating, Rankin's request was perfectly proper since it sought to arm him against the Commission's critics.

But to the critics, it was just one more example of the investigators trying to manipulate the outcome of the investigation.